

OXFORD

MAGAZINE

No. 444 Second Week Trinity Term 2022

Has the pandemic permanently affected our attitudes to mental health as well as physical? On the evidence of the content of the *University Bulletin* Wellbeing is now becoming a dominating preoccupation of University policy-makers, to the point that they even reveal their own emotional responses to the current situation. What exactly is going on? Why, for example, has the Wellbeing Board just arranged for the University to create three new posts; 'Wellbeing Programme Manager', 'Wellbeing Project Manager' and 'Wellbeing Skills Development Lead'?

The pandemic has created a variety of new tensions in our working lives and in the experiences of our students. Blended teaching and examining in themselves generate extra demands, both in time and in energy. But less obviously staff have now to negotiate – that is the appropriate word, since discussions with one's line manager and HR are often required – how to balance commuting (and whether to move away from Oxford due to the house prices and given the increasing recognition that with remote working one can live anywhere) and new ways of cooperating and interacting in person with colleagues on site, increasing numbers of whom one has never actually met. And then we have to decide whether it is worth traipsing in just to attend a non-streamed seminar – departments still have some way to go in arriving at rational and uniform policies on obligatory in-person attendance when an online option would actually engage more people. All these are newly added aspects of our working lives which were already complex enough.

The changing and sometimes diverging expectations of individual employees and their departmental policy-makers can inevitably create new frictions. One effect of the complexities of today's working conditions is the bringing of complaints on grounds, for example, of bul-

Wellbeing

lying or harassment. Where such grievances arise HR routinely reminds those involved of the availability of support from Occupational Health and it has just been announced that the Counselling Service is to be open for staff rather than for students alone, so medicalising what once would probably

have been seen as matters merely of employment rights. As Evans reminds us in this issue, HR is a relatively new invention in Oxford: only 25 years ago the term and the job specification were unheard of. Up to that time academics were largely left free to plan out their working lives and eccentricities tolerated: now HR is vast in scale and plays an ever more salient role in structuring working practices. Now, due to Health and Safety, together with the Employment and Discrimination Acts, the University has to protect itself and legal requirements trump all.

In the most recent Proctors' Demitting Oration it was reported that: "The Proctors' Office now deals with over 9,000 items of casework a year" and that "there has been a tendency for students to become dependent on seeking mitigation and extensions, The cumulative build-up of requests for extensions, mitigation and excusals can add to student stress and adds to the workload of staff". Assuming that such requests primarily come from undergraduate rather than postgraduate students the implication is that it has now become the norm for undergraduates to request special conditions during examinations.

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The current, apparently accelerating, drift towards a Nanny University builds on problems that pre-date the pandemic. Underlying this trend lie serious questions of personal autonomy and agency. At every point at which the institution takes charge, the freedoms of the individ-

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...and much more

ual are correspondingly diminished, together with their perception of their own responsibility for their actions.

We promote policies that imply that our students are less capable and responsible than their forebears by, for example, requiring the undertaking of consent and unconscious bias training or in urging them to take up online courses in preparation for the stresses of exams. There is much talk about rates of mental illness among students – reportedly at 30-40% – and the need to teach “resilience”. But is there not a danger that we are instilling assumptions about the limited resourcefulness of our students and that we are undermining their ability to work out their own ways of coping? Would it not be better that the University directed its efforts towards addressing the justified pressures that students are under as a result of real-world issues such as Augar-enhanced loan debt, uncertain career prospects, the housing crisis and climate change?

Dispute resolution and the handling of complaints about bullying have changed in recent years and yet, as Evans points out, we have extraordinarily little information on the scale of such problems and whether they are on the increase. There is evidence that Wellington Square is concerned; a Pro-Vice-Chancellor responsible for ‘Persons’ has just been appointed while the search is on to fill the post of Director of HR, a crucial role that will be difficult to discharge constructively at a time when so much is changing. Many of the stresses experienced by staff – due especially to increasing pointless administrative requirements and forms of performance monitoring – are of the University’s own making and in its power to change.

T.J.H

How to initiate Congregation actions

How to trigger a debate or discussion in Congregation

It is open to any 20 or more members of Congregation to propose a resolution or topic for discussion at a meeting of Congregation; requests must be made in writing to the Registrar not later than noon on the 22nd day before the relevant meeting. Any 2 or more members of Congregation can submit an amendment to, or announce an intention to vote against, a resolution or a legislative proposal (*i.e.* a proposal to amend the statutes). Notice must be given to the Registrar (in writing) not later than noon on the 8th day before the meeting.

Questions and replies

Any 2 or more members of Congregation may ask a question in Congregation about any matter concerning the policy or the administration of the University. Requests must be submitted to the Registrar (in writing) not later than noon on the 18th day before the Congregation meeting at which it is to be asked. The question and the reply (drafted by Council) will be published in *Gazette* in the week prior to the relevant meeting. The answer is also formally read out at the meeting. Supplementary questions are allowed.

Postal votes

Attendance at meetings of Congregation tends to be low. Postal voting can potentially allow opinion to be easily accessed more widely across Congregation membership. Congregation can trigger a postal vote after a debate (but not after a discussion or a question and reply where no vote is taken). 25 or more members of Congregation have to be present (“on the floor”) at the relevant debate. The request must be made by 4pm on the 6th day after the debate, signed by 50 members of Congregation, in writing to the Registrar. Council can also decide to hold a postal ballot, by the same deadline.

Flysheets

To generate a flysheet for publication with the *Gazette*, the camera-ready copy (2 sides maximum) should be submitted with at least 10 signatures on an indemnity form (obtainable from the Registrar) by 10am on the Monday in the week in which publication is desired.

Regulations governing the conduct of business in Congregation can be found at: <http://www.admin.ox.ac.uk/statutes/regulations/529-122.shtml>

Items placed on the agenda for Congregation are published in the *Gazette*.

The Congregation website is at: www.admin.ox.ac.uk/councilsec/governance/congregation.

Advice on Congregation procedures is available from the Council Secretariat on request (email: congregation.meeting@admin.ox.ac.uk).

Last Rites: the Story of the Oxford Amnesty Lectures

STEPHEN SHUTE

Tempus Fugit

Reflecting on the passage of time can be an unsettling experience. Sometimes it flows at a snail's pace; on other occasions it's gone in the blink of an eye. The latter is true of the Oxford Amnesty Lectures. It hardly seems possible that 30 years have elapsed since the first lecture was staged. Given the success of the concept and the quality of the academic content, it is timely to mark this anniversary by looking back on the history of the Lectures and charting their achievements while at the same time saying something about the challenges we faced along the way. Much of this essay will focus on the first four series of lectures as these provided the template for what followed and set the bar in terms of audience size, money raised, and books sold.

Vision

When the Oxford Amnesty Lectures were founded in the early 1990s, they were built on a simple vision: to create an annual series of six, seven, or eight lectures delivered to a fee-paying audience by some of the best thinkers in the world, with each lecturer asked to reflect upon the connection between their specialism and human rights. In this way, we hoped to deliver three interlinked goals: to provide an annual source of income for Amnesty International; to enliven Oxford's intellectual life by bringing to the City figures of international renown who were not often seen there; and to raise the profile of human rights in the academic community and beyond. With the exception of three fallow years in 2000, 2009, and 2011, we repeated this model annually from 1992 to 2012: a total of 124 lectures and 18 series in all.¹

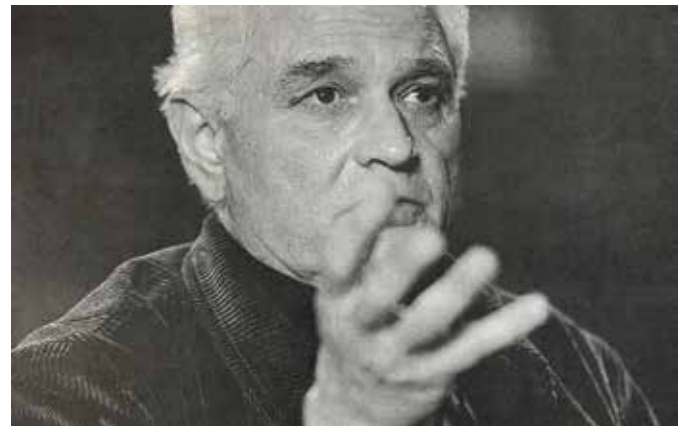
Delivery

The job of turning the vision for the Oxford Amnesty Lectures into reality fell to a small Organising Committee. For the first series, this consisted of six members: Madeleine Forey, John Gardner, Ewen Green, Chris Miller, Peter Snowden, and myself. All were volunteers and all but two Oxford academics: Forey and Gardner were Fellows of All Souls College; Green was a Fellow of Magdalen College; and I was a Fellow of Corpus Christi College.

Over time, other people joined and left the Organising Committee and each played a part in making the Lectures a success. Particular mention should go to Fabienne Pagnier, Wes Williams, Nick Owen, Deana Rankin, Richard Scholar, and Kate Tunstall, who joined variously between

1994 and 2001, for their long-running and intensive commitment.

In addition to the Organising Committee, we established an Honorary Committee to support the Lectures with the following membership: Terence Cave; G.A. Cohen; Michael Gilson; Michael Ignatieff; Alan Montefiore; Martha Nussbaum; and Anthony Smith. Two members, Nussbaum and Ignatieff, went on to give Oxford Amnesty Lectures themselves, in 1996 and 2001 respectively; and Montefiore was, as we shall see, Jacques Derrida's interrogator in 1992.



Jacques Derrida

To provide appropriate governance we created a limited company, Oxford Amnesty Lectures Limited, as the management vehicle and obtained charitable status for it. The Company had two broad objectives: to educate the public in the field of human rights; and to support the work of the Amnesty International British Section Charitable Trust.

The Articles of Association for the Company stipulated that monies generated by the Lectures should be paid to Amnesty International. While we had Amnesty's strong support for our initiative, both the Lectures and the Company we had established were autonomous entities, separate from Amnesty itself and from the University of Oxford. As this was not always understood, it was necessary to repeat the message loudly that neither the views of the Organising Committee nor of the speakers should be confused with those of Amnesty, or indeed the University of Oxford.

Practicalities

Because delivering our core goals depended on the size of our fee-paying audience, securing a cadre of the very best speakers from across the globe was essential. This meant paying travel costs and subsistence expenses. We also needed to hire venues and initially these cost between £150 and £250 per lecture.

During the life of the Lectures, we used six different venues: the Newman Room; the Sheldonian Theatre; the Oxford Town Hall; the Taylor Institute Main Hall; the Holywell Music Room; and the Gulbenkian Lecture Theatre. For many of our lectures, the august Christopher Wren designed Sheldonian Theatre fitted the bill perfectly. It provided exactly the right sense of occasion, despite periodic misbehaviour from its antiquated sound system. At that time, it could also hold approaching 1,500 fee-paying attendees. As we soon found out, that level of capacity was required for our most popular events.

The first series of lectures, held in February 1992, had been scheduled for the Newman Room in St Aldate's. Demand for four of the seven lectures, however, so far exceeded the capacity of that Room that we hastily arranged to move those lectures to the Sheldonian. The second series, in 1993, saw all but two of the lectures scheduled there. After that, we continued to use the Sheldonian for the majority of our events.

Zeitgeist

Initially, we charged £5 waged and £3 unwaged per lecture, with a discount for multiple purchase. When we put these tickets on sale at Blackwell's Music Shop in late 1991 demand was such that people were queuing for hundreds of yards down Holywell Street to buy them. Part of that interest came from the participation of Jacques Derrida. Our timing was impeccable. The founder of deconstruction was something of a *bête noire* in Oxbridge and our invitation coincided with a furore over his nomination for an honorary degree at the University of Cambridge. The heat generated by that proposal is well illustrated in a letter from the editor of *The Monist*, Barry Smith, which was signed by 18 other international philosophers. Published in *The Times* on 9 May, 1992, it accused Derrida of 'stretch[ing] the normal forms of academic scholar-



Richard Rorty

ship beyond recognition' and 'employ[ing] a written style which defies comprehension'.

Part way through the first series, Stuart Jeffries, a feature writer at *The Guardian*, penned a review under the provocative title 'Bit of the other'. It drew attention to the zeitgeist into which we had tapped, though he had a particular axe to grind:

'Over the past couple of weeks some of the most trendy names in French thought – including Julia Kristeva and Paul Ricœur – have been lecturing at the home of the analytical enemy, where the supposedly wildly speculative turn of continental thought is despised ...'

On Derrida he said:

*'It was a suave performance, but the event only satisfied those who had come to see that rare thing – a famous, living and publically conscious philosopher.'*²

The seven-lecture series began with Paul Ricœur, continued the next day with an interview with Derrida (filmed by Channel 4), and concluded three weeks' later with an outstanding talk from Edward Said. There was now no doubt that we had a success on our hands and a firm foundation on which to build.

Of all the reviews of the first series, that by James Wood, then Chief Literary Critic for *The Guardian*, best captured the febrile atmosphere of the time, albeit in somewhat florid language. In *The Times Literary Supplement* on 3 April, 1992, he wrote:

'Last month, in the long afternoon of theory, some famous practitioners came to Oxford to paint their valedictory sunsets. This, anyhow, is how it felt. All of them, except Edward Said, had a melancholy tinge. Like arraigned revolutionaries, they stood before us wearily burdened with the crimes of their less intelligent followers. After the bloated scepticism of recent years here was humility and withered pragmatism. Paul Ricœur, who opened the Amnesty Lectures on Freedom and Interpretation, set the tone with his awkward apology for presuming to speak theory in Oxford, 'the home of the English empirical tradition and logical positivism'. This became a kind of grace before each meal: Hélène Cixous and Julia Kristeva said the same when their turn came.

The star of the series was its second lecturer, Jacques Derrida, 'the most famous philosopher in the world', as one newspaper has called him. An audience of 1,400, mostly young, packed into the Sheldonian. Photographers with their barrel lenses hogged the front row; a television crew was ready with dazzling lights. Derrida looked foxy and prosperous. He has a small head with a floury loaf of white hair laid over it. He squints analytically. Wearing a dark green corduroy suit and carrying a neat shoulder bag, he announced that he had not realised that this was a series of lecturers, so he would only be heard in conversation (with Alan Montefiore, an Oxford philosopher). This Derridean misreading fooled no one.'

If Derrida was the star of the first series in 1992, John Rawls was the star of the second series in 1993. However, working on his lecture in the summer of 1992, Rawls became perturbed by rumours he had heard about the Derrida event. He wrote to me and John Gardner for assurance that his lecture would be delivered 'in a suitable academic setting'. We wrote back immediately to settle his mind, noting that we had no wish to see the Derrida format used again and promising that all the events in the

1992 series would take the form of orthodox academic lectures. Rawls' hand-written reply came back by return:

'I am very grateful for your letter of August 3 ... Be assured my mind and worries are completely quieted; and your assurances fully satisfactory. I am rather intimidated [by] lecturing in the Sheldonian but that was part of the arrangement from the start!'

While Rawls' lecturing style may not have been to everyone's taste – an article in *Oxford Today* described it as 'less than luminous'³ – it was another memorable occasion. Ronald Dworkin (who gave his own Oxford Amnesty Lecture in 2008) introduced him to a full house and the lecture's subsequent publication in *On Human Rights* was a landmark moment for Rawls' scholarship. Despite his characteristic diffidence – sending his first draft to me for comment in September 1992, he said: 'I hope my account of human rights, shoddy as it is, does not dismay'⁴ – the essay became widely read. It was his first original piece for some time and broke new ground for his theory by explaining how the ideas he had set out in *A Theory of Justice* could be applied at the international level.

Cost Control

From the start we made it clear to our lecturers that we would only pay for an economy ticket for the speaker. We also asked speakers to stay over a Saturday night as that made their flights cheaper. This didn't work for everyone. In 1994, for example, Betsey Fox-Genovese wrote to me to explain why she had to leave on a Saturday morning: 'my father is failing, my dog has cancer, and I am testifying for the Commonwealth of Virginia'. Others, such as Richard Rorty and John Rawls, arranged for their universities to pay their air fares; and, in a few cases, lecturers paid part or all of their travel costs themselves. We generally sought to accommodate our lecturers in Colleges and thanks go, in particular, to Corpus Christi College, All Souls College, Brasenose College, Exeter College, Magdalen College, New College, Queen's College, and St John's College.

Publication

We were uncertain at the beginning how much demand there would be from a fee-paying audience for our lectures, since so many academic events at Oxford could be accessed free of charge. Moreover, the members of the Organising Committee were young and could not afford personal liability. It thus made sense for us to seek to mitigate the financial risk by obtaining a sizable book publishing contract for the lectures in advance of their delivery. Basic Books, a New York Division of Harper Collins, came up trumps. We signed our first contract with them on 11 July, 1991, more than six months before the first lecture was held.

Key to securing that deal was the personal support of Basic Books' President, Martin Kessler. A charismatic and energetic publisher, he agreed to provide a \$20,000 advance against any royalties from the first book. That was an almost unheard-of sum for an academic volume at the time. In return, we agreed to deliver a 75,000-word manuscript no later than 15 March, 1992.

Entitled *Freedom and Interpretation*, the first volume

to be published contained essays from six of the seven lecturers: Paul Ricœur; Hélène Cixous; Julia Kristeva; Sir Frank Kermode; Wayne C. Booth; and Edward Said. Derrida did not provide a text. As we have seen, he had chosen the format of an interview with Balliol academic, Alan Montefiore, rather than delivering a formal lecture. That left the book one essay light and we filled the gap by commissioning a seventh essay from Terry Eagleton. The book was introduced and edited by Barbara Johnson.

In the second year, we negotiated an identical deal with Basic Books for a volume entitled *On Human Rights*. The cast list was again extraordinary: Catharine MacKinnon; Steven Lukes; John Rawls; Agnes Heller; Jean-François Lyotard; Jon Elster; and Richard Rorty. The book was edited and introduced by the philosopher Susan Hurley and myself.

Part of the deal with Basic Books was that copyright in the essays would be transferred to them. This occasionally caused difficulty if one of our lecturers wanted to publish elsewhere, especially if they wanted to do so prior to or simultaneously with the publication of the book. In such circumstances we had to respond with a gentle reminder that the copyright position meant parallel publishing was not possible.

The arrangement with Basic Books lasted for four series. Over that period, Kessler's health started to deteriorate and his influence at Basic Books began to wane. He died in New York in February 1996, aged 66. Some 12 months' previously, the Vice-President of Basic Books, Steve Fraser, had written to us to say that the advance would be reduced to \$5,000. Although the first two books had sold very strongly, the third book, *Historical Change and Human Rights*, had done less well, notwithstanding the excellent line-up: Orlando Patterson; Carlo Ginzburg; Patrick Collinson; Elizabeth Fox-Genovese; Robert Darnton; Emmanuel Le Roy Ladurie; Eric Hobsbawm; and Sir Ian Kershaw. Basic Books still wanted to publish the series, which they considered 'a worthy and important undertaking', but made it clear they could only do so 'at a level of financial commitment that is not foolhardy'.

The fourth series, *The Dissident Word* in 1995, which focused on novelists and included Gore Vidal, André Brink, Edmund White, Wole Soyinka (winner of the 1986 Nobel Prize for Literature), Nawal El Saadawi, and Taslima Nasreen, was the last to be published by Basic Books. Another American publisher, Westview Press in Boulder, Colorado, took over the contract for both the 1996 series, *Women's Voices, Women's Rights*, and the 1997 series, *The Values of Science*, but without an advance. The 1998 series, *The Genetic Revolution and Human Rights*, passed to Oxford University Press, which published the lectures until 2005, again without an advance. Manchester University Press published the 2006, 2007, and 2008 series; and the 2010 series was published by Bloomsbury. Only the last series in 2012 did not produce a book.

Sponsorship

In 1991, we approached the *Times Higher Education Supplement* to ask if they would support the first lecture series through a sponsorship arrangement. That continued annually until 2007, covering 15 of the 18 series. Initially, the *T.H.E.S.* provided £200 per annum, as well as two free half-page advertisements to help us promote

the Lectures. In 1996, they agreed to increase that sum to £500. As a quid pro quo, we agreed to display their logo on our publicity material and in the venues. We also obtained sponsorship from a City Law Firm, Linklaters & Paines. The central person here was Alexandra Marks. A partner in the firm, she arranged for £800 of sponsorship annually: £600 in cash plus £200 in gift aid. This arrangement was replicated for a number of years. Miell and Company in Oxford also, for a time, provided accounting services pro bono.

Publicity

Attracting a star-studded roster of talent for the Lectures was never going to be sufficient on its own; we also had to spread the word. Much time was therefore devoted to publicity, including designing flyers and posters. In the first few years, the graphics for these were produced by John Gardner. Later, Kelvin Jenkins from Oxfam kindly prepared many of the designs. This material was then stuffed into envelopes for circulation across the two Oxford Universities. In addition, notices advertising the Lectures were published gratis in every journal we could persuade to carry them. As well as the *T.H.E.S.*, *Amnesty*, the Journal of the British Section of Amnesty International, the *Oxford Magazine*, the *Oxford University Gazette*, and *Oxford Today* were particularly helpful, and often included review articles about the lectures.

The *Oxford Magazine* was a notably strong supporter, covering the first series in its 80th edition in Hilary Term 1992 with a front-page story, 'Writing To Strangers', which noted: 'A new annual fixture of the grandest kind has been added to the Oxford calendar'. The 1992 lectures, the article said, had been 'occasions of almost Dionysian collective expectancy' and served as a 'reminder that no amount of electronic innovation in teaching will ever match the electricity of multiple physical presences'.

We also secured the interest of the national press. For example, on 9 February 1992, *The Sunday Review*, part of *The Independent on Sunday*, ran a full-length article on Kristeva entitled 'Egghead Out of Her Shell' in which the historian and novelist Lucy Hughes-Hallett wrote in her first sentence: 'Over the next fortnight seven of the Western world's most illustrious literary theoreticians will be coming to lecture in Oxford'.

Our ambitions did not end with the print media. We also arranged interviews on Radio 4 and Radio 3 and, for the 1992 series, were able to secure coverage by Channel 4 Television, which ran a sequence of interviews with our lecturers and, as has already been noted, filmed the Derrida event as it happened for transmission later. Despite its late-night broadcast slot in June 1992, this provided a further strong impetus for the Lectures, and Channel 4 published an accompanying booklet, *Talking Liberties*. A poem, 'Deconstruction At Midnight', based on the Derrida broadcast and written by an alumnus of New College, was printed afterwards in *Oxford Today*.⁵

We further sought publicity for the hand-over of our donations to Amnesty. For example, at the close of the 1994 series on *Historical Change and Human Rights*, after the last lecture in the Sheldonian Theatre, the novelist Ian McEwan took delivery on Amnesty's behalf of a substantial larger-than-life cheque.

Fees

For the first series, while we were feeling our way, we offered a £1,000 fee to our lecturers. In the event, none of those who spoke took up the offer. Yet, in his article in the *T.L.S.*, James Wood asserted that 'all the speakers except Derrida' had given 'their services for free'. This produced a furious response from Derrida. Forey replied to Wood on behalf of the organisers in a letter published by the *T.L.S.* on 10 April, 1992. On 1 May, the *T.L.S.* published a letter from Derrida himself, which accused Wood of an 'arrogance' that 'matches his ignorance', adding that Forey should have asked for a public apology:

'And even as I wonder about the reasons, motivations, or rumours that could have led Mr Wood to publish such disgraceful calumnies, I feel the insult to me is so serious as to require me to ask you also to publish my own protest.'

The lessons from this incident and the success of the first series were such that we decided never again to offer a fee to any of our speakers.

Other Controversy

Later series, too, sometimes became embroiled in controversy. This was, of course, part of what made the Oxford Amnesty Lectures so special. In 1993, there were some objections to the fact *On Human Rights* made reference to the Serbian atrocities which had been perpetrated in the former Yugoslavia; in 1995, Nasreen needed police protection while in Oxford because of her critical scrutiny of Islam and her exile from Bangladesh; in 1997, psychologist Nicholas Humphrey did not please all when he argued parents should not be allowed to instil a belief in 'the literal truth of the Bible', which he said was on a par with parents 'knock[ing] out their children's teeth or lock[ing] them in a dungeon';⁶ in 2003, protestors sought to disrupt Sir James Wolfensohn's lecture, part of the series on *Divided Cities*, on the ground his views were too 'Western' and too favourable to the United States of America; and the words 'Israeli state terrorism' used by Chris Miller in an article published in this journal in Michaelmas Term 2005 as part of an advertisement for and prelude to the 2006 lecture series, *War on Terror*, raised hackles in certain quarters, triggering an exchange of views over the legitimacy of our use of the Sheldonian as well as an allegation that our lectures should be best understood 'as ideology or perhaps as preaching, presenting a single version of complex truths', a suggestion we categorically denied.⁷

Finally, in 2012, the 18th series brought things to a close much as we had begun, by stirring things up. Entitled *Protect the Human/Protect the Planet*, it generated a letter from climate change sceptics and the Heartland Institute asking the University of Oxford to ban the water expert Peter Gleick from speaking because it was alleged that he had tricked the Institute into turning over 'confidential documents outlining its fundraising plans and key donors'.⁸ Gleick had already apologised for his role in that incident and had taken leave from the Pacific Institute which he had founded because of it. The Oxford Amnesty Lectures confirmed his lecture would go ahead:

'The 2012 series, like those before it, reflects Oxford Amnesty Lectures' commitment to supporting freedom of expression and fostering robust debate about human rights. Of course the Lectures are not University lectures and so the University of Oxford could have no role in their continuation or withdrawal.'

One other area of controversy is worth mentioning. Academics in Oxford or London not infrequently sought to take advantage of the rarity value of our lecturers by arranging parallel talks or symposia without contributing to our expenses. Such events, invariably free, had the potential to undermine our fee-paying audience. We therefore tried to discourage them. In our correspondence with lecturers in autumn 1992, we wrote:

'We should mention one problem that came up last year. It may be that you will be approached to give other lectures or seminars during your stay in Oxford. May we ask that you think seriously before agreeing to do so? Even an informal faculty seminar the evening before your lecture could significantly dent the attendance level. We rely heavily on ticket revenue in raising funds for Amnesty International, and not all tickets are put on sale in advance. We hope you will not think that this is too much of an imposition, but it is important to maximise attendance.'

This is clearly a sensitive area and the issue never fully went away. In 1993, for example, we had to write to an event organiser at one London institution who had built a symposium on the back of our lecture series. She had included several of our speakers without full acknowledgement of, or publicity for, that year's lectures.

Hospitality

We wanted to ensure that the time our lecturers spent in Oxford was memorable. We therefore organised a number of lunches and dinners, wherever possible seeking sponsorship. Oxford Colleges and the Maison Française were particularly generous in helping out. In 1992, three dinners were put on by the Maison Française: for Ricœur; for Derrida and Cixous; and for Kristeva. In 1993, the Maison Française put on a lunch for Lyotard; and in 1994 it hosted a lunch for Le Roy Ladurie and Darnton. I organised a dinner at Corpus Christi College in 1993 for Rawls and Lukes. The distinguished guest list included Sir Isaiah Berlin, to whom I sent a copy of *On Human Rights*.⁹ He wrote back from his home at Headington House to thank me but did not mince his words:

'... I shall read the lectures with great interest – all except the Frenchman whose name I cannot remember, whom, like Derrida, I find repellent.'

He was, of course, speaking of Lyotard. Berlin did, though, read and attend not only the lecture given by Rawls but also that given by Rorty. As Peter Aspdon said in his review in the *T.H.E.S.* on 26 February, 1993, Rorty's approach 'may not lie within the mainstream of any academic philosophy, let alone Oxford's version of it, but it can still reduce an audience to respectful silence'.¹⁰

In 1995, I hosted a second memorable dinner at Corpus, this time in honour of Gore Vidal. Among the guests were Dame Iris Murdoch, her husband John Bayley, Ian McEwan, Valentine Cunningham, and Vidal's long-standing partner, Howard Austen. A captivating raconteur,

Vidal told wonderful, if risqué, after-dinner stories, including one about President Kennedy whom he described as 'outrageously heterosexual'.

Memento Mori

Time takes its toll. During the 30 years that have elapsed since the first series, more than one in four of our lecturers, a total of 37, has died. The most recent losses are the architect Lord Richard Rogers; the paleoanthropologist Richard Leakey; and the film-maker Roger Graef.¹¹ We have also lost two of the six members of the original Organising Committee: Ewen Green, who died in 2006, aged 47; and John Gardner, who died in 2019, aged 54.¹² They are much missed as colleagues and as friends.

Finis

When the Oxford Amnesty Lectures were created 30 years ago, there was a strong appetite from City residents to come together with members of the academic community in a formal setting to listen to speakers who they knew would have something interesting and important to say about issues which matter. Few doubted at that time that experts could make a valuable contribution to public debate and the role of the public intellectual was secure. But, while the demand was there, the supply was not. High-profile, well-advertised, open lectures in Oxford were a rarity and it was that gap that the Oxford Amnesty Lectures were able to fill. Since then much has changed. Celebrity public lectures have grown like topsy and the uniqueness of the Oxford Amnesty Lecture series has gone. Consequently, it became harder and harder to fill large venues with fee-paying attendees, a change which was accentuated by the digital revolution and the accompanying development of parallel online initiatives such as TED talks. Moreover, the goal of breaking down divisions between town and gown, so central to the vision of the Oxford Amnesty Lectures, became commonplace: 'engagement' is now an everyday aspect of academic life and civic connectivity a key theme in the strategy documents of almost every university in the land. It is noteworthy, too, that the demands placed on academics have intensified over the period and far fewer are time resourced to put energy into ventures of this kind.

In sum, the rich till into which the Oxford Amnesty Lectures took root has taken on a different texture. The Lectures, in a sense, became the victims of their own success and have been in abeyance for a decade. Yet this should not be a surprise: all good things must pass. The current directors of the Company have not yet formally closed the charity down and, until they do, there is always the possibility of a revival. But the core model which served the Lectures so well for such a long time would appear to have run its course.

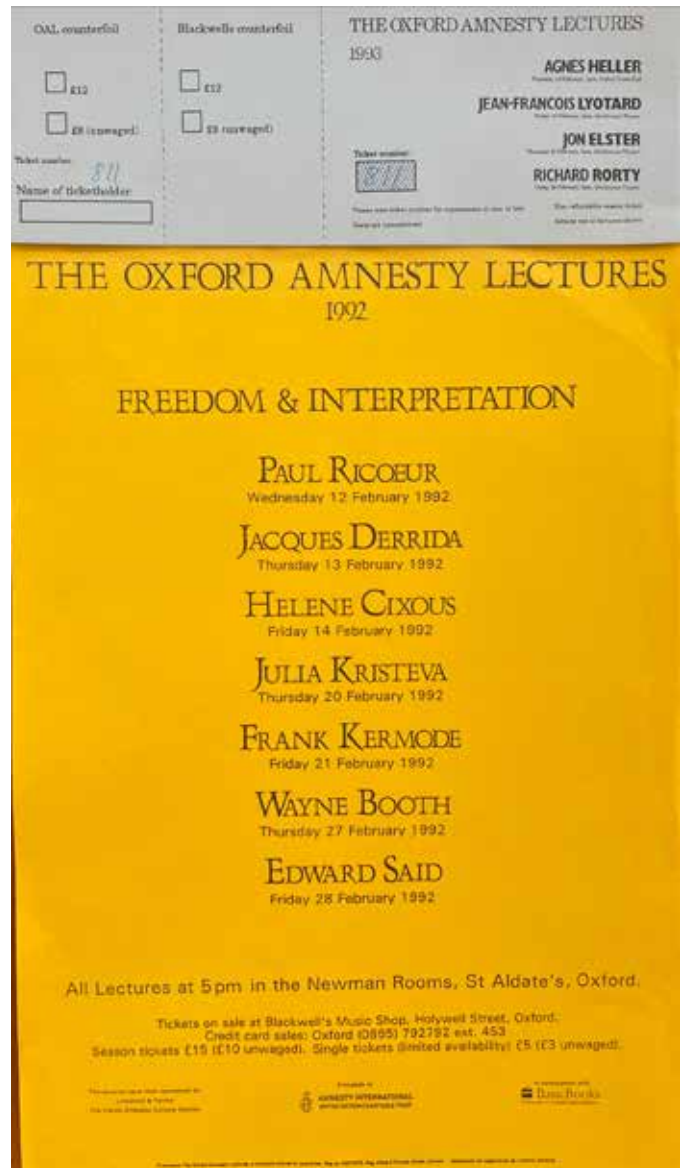
Legacy

The mark the Oxford Amnesty Lectures made is substantial. All the goals set by the six members of the original Organising Committee have been met. Around 35,000 tickets were sold for the 124 lectures. The quality of the

speaker list was second to none: a roll-call of achievement and celebrity. It is invidious to pick out names but, in addition to those already mentioned, some of the other speakers were: Shere Hite (1996); Richard Dawkins (1997); Sir Ian Wilmut (1998); Noam Chomsky (1999); Susan Sontag (2001); Dame Marina Warner (2002); Stuart Hall (2003); Lord Bhikhu Parekh (2004); Dame Marilyn Strathern (2005); Jeff McMahan (2006); Baroness Shami Chakrabarti (2007); Sir Simon Schama (2008); Jeremy Waldron (2010); and Nobel prize winner Elinor Ostrom (2012). The discipline coverage was also remarkable: from literary theory to environmental rights via, inter alia, genetics, incarceration, and migration. We have, moreover, preserved the necessarily ephemeral experience of the Lectures by publishing 17 books which will continue to be read and have an impact for decades to come. Finally, more than £120,000 has been raised for Amnesty International. The Oxford Amnesty Lectures are, in short, something of which we rightly feel proud.

- ¹ This number does not include Ivan Illich who was booked to give an Oxford Amnesty Lecture in the 1999 series but had to withdraw late because of ill health: sadly, he died in 2002. Nor does the number include the debate organised with A.C. Grayling and the Right Reverend John Pritchard as part of the 2008 series.
- ² *The Guardian*, 18 February, 1992. See also, 'What's it all about, Jacques?', *The Observer*, 17 May, 1992.
- ³ Chris Brooke (Balliol 1992), 'On Human Rights', *Oxford Today*, Vol.6, No.1, Michaelmas Issue, 1993.
- ⁴ He also appended a handwritten P.S. saying he felt his approach was 'eccentric'.
- ⁵ Michaelmas Issue, 1992. The poem was written by Harold Sykes of the University of Sunderland.
- ⁶ *The Values of Science*, p.59.
- ⁷ See 'Oxford Amnesty Lectures 2006: the 'War on Terror'', *Oxford Magazine*, No. 245, Eighth Week, Michaelmas Term 2005; Lawrence Goldman, 'Not in My Name: The Oxford [sic] Amnesty Lectures', No. 246, Noughth Week, Hilary Term 2006; letter from Gavin Cameron, 'Oxford Amnesty Lectures', No. 246, Noughth Week, Hilary Term 2006; reply by Chris Miller, 'Response to Dr Goldman', No. 247, Second Week, Hilary Term 2006; statement entitled 'Oxford Amnesty Lectures' by eight of the 10 members of the 2006 Organising Committee, and an article by Stephen Howe, 'Goldman and Amnesty', No. 247, Second Week, Hilary Term 2006; letter from Lawrence Goldman, 'A Sticky Mess: Of Oxford Marmalade and Oxford Amnesty', No. 248, Fourth Week, Hilary Term 2006; two letters in No. 249, Eighth Week, Hilary Term 2006, the first of which was signed by nine members of the Organising Committee (including myself) and the second of which came from another founding member of the Lectures, John Gardner; and, finally, a letter from Lawrence Goldman in No. 250, Noughth Week, Trinity Term 2006.
- ⁸ Suzanne Goldenberg, 'Heartland Institute calls on Oxford to ban Peter Gleick from giving lecture', *The Guardian*, 11 April, 2012.
- ⁹ Also present were Sir Bernard Williams, Ronald Dworkin, Phillipa Foot, J.O. Urmson, and Peter Cane. Often described as 'the world's greatest talker', Berlin, who died four years' later in 1997, had a connection with both Corpus, where he had been a student in the 1930s, and the University of Sussex. On Sussex's foundation in 1961, he was appointed by the Privy Council to be a member of a small Academic Advisory Committee for the University.
- ¹⁰ See also Stuart Jeffries, 'Sage for a faithless age', *The Guardian*, 26 February, 1993. Dick Rorty and his 16-year-old son were accommodated in Corpus while they were in Oxford and Rorty said in his letter of thanks that they both agreed strolling around the College gardens had been 'one of the pleasantest experiences' they had had during their time in Britain.

- ¹¹ For obituaries for Rogers, see Benjamin Cooper, *The Independent*, 19 December, 2021; Oliver Wainwright, *The Guardian*, 19 December, 2021; and *The Times*, 19 December, 2021. For obituaries for Leakey, see Roger Lewin, *The Independent*, 16 January, 2022; Anthony Smith, *The Guardian*, 3 January, 2022; and *The Times*, 3 January, 2022. For obituaries for Graef, see Mike Bedigan, *The Independent*, 3 March, 2022; Duncan Campbell, *The Guardian*, 3 March, 2022; and *The Times*, 11 March, 2022.
- ¹² For obituaries for Green, see Laurence Brockliss, *The Independent*, 23 September, 2006; Peter Clarke, *The Guardian*, 19 December 2006; and *The Times*, 19 December 2006. For obituaries for Gardner, see Stephen Shute and Annalise Acorn, *The Independent*, 9 August, 2019; Nicola Lacey, *The Guardian*, 22 July, 2019; and *The Times*, 2 August, 2019.



Not
the
Gazette

NB The *Oxford Magazine* is not an official publication of the University. It is a forum for the free expression of opinion within the University.

Notes from Ivory Flats

ROBERT FOLEY

Forget the time management courses, ask the peahen

Lewis Carroll wrote or received, across most of his adult life, more than 98,000 letters. That would seem to be an impressively large number. Carroll recorded, in a series of index books, all the letters he wrote and received, with details of dates, writer, topic. I do not have his patience, so I put all non-spam emails, sent and received, in a folder optimistically called 'All Done'. At the end of the year, I put a date on it, and start another one. Looking over my annual 'All Done' folders for the last decade, they are never less than 20,000 per year. In five years, I can amass a lifetime of Carroll's correspondence. His are probably witty and informative; sadly most of mine are either reminders of things I have to do or have neglected to do, as well as fascinating information about the latest course on how to manage my time. The comprehensive edition of my forthcoming twenty volume collected emails will be riveting, at least in the sense that it will fix for once and for all the mind-numbing way we spend the days in our Ivory Flats.

Twenty thousand a year amounts to more than 50 per day, and involves a substantial quantity of time spent daily in reading, responding, procrastinating, and it doesn't really matter whether you are one of those people who assiduously empties the inbox as fast as it fills, or, more moth-like, are drawn irresistibly to the brightness of new or unanswered emails, only to shy away from them time and time again. Emails are a time-sump. The average professional, and academics probably still qualify, spends 28% of their working day on emails.¹ That adds up to more than a quarter of our working year. Put another way, more than a quarter of the University's salary budget is devoted to emailing! We can probably now add social media to the average time budget. Even without including time spent looking at political polemics and funny memes, Twitter is an endlessly renewed source of academic information, and as inboxes have flooded, WhatsApp has become a work overflow drainage system.

I am hardly the first to complain about the way in which email has transformed, and largely worsened, our working lives – the number, the banality, the tedium of 'kindly reminders', the hijacking of our own priorities, the perpetual guilt, the Sisyphean nature of the task, and the flattening of all relationships into a two-dimensional list. And I certainly won't be the last. I do, though, have a modest proposal to improve our lives. It involves two things that are seldom brought together – the Royal Mail and evolutionary theory.

The first postage stamp was issued in the UK in 1840, and is recognised as a revolution in communication. This revolution might appear to be one of just finding an efficient system of payment, but it is deeper than that. As far as I know, before stamps, the cost of sending post was largely paid for by the recipient, not the sender. You put the letter in the post, and the person it was addressed to would be asked for payment. They could, of course, simply re-

fuse to accept it (A bill? Victorian junk mail? Imagine the temptation). Economically it makes much more sense to charge the sender, as payment is guaranteed and upfront. The post office learnt early the importance of putting the cost on the sender.

Who pays, sender or receiver, is actually a serious question. Not just for postal services, but across the whole biological world. We think of evolution as being about fitting in with the environment, who has the better camouflage, who is effective at finding food, and so on, but for all species, plants animals, fungi, the lot, it is about sending signals – signals to mates, saying I am fitter (larger horns), signals to mates saying I am fertile (genital tumescence), signals to predators (I am poisonous), signals to competitors (I am bigger than you), signals to pollinators (look at my pretty colours). The continuity of life is dependent upon successful signalling. And this turns out to be a bit of a tug of war between the signaller and the receiver. The signaller wants to persuade the receiver of something – their status perhaps – and do this as cheaply as possible. You want to be big – have a big shaggy coat that inflates your size. You want to look healthy – have bright shiny feathers. The receiver, on the other hand, wants to be sure the signal is honest, not some cheap advertising trick. From the receiver's point of view, better for the signal to be a long, risky, time-consuming ritual of courtship to test the quality of the mate, than to be a smile and a wink. The peacock's tail is a classic example – an encumbrance to movement, an energetic expense to grow and maintain, rather visible to predators, but worth its weight in feathers reproductively speaking. The peahen knows it's honest because the peacock is paying a high cost. In the co-evolution of signalling, natural selection has favoured the honest signaller (except for those crafty mimicking insects) over the trickster, and it is the distribution of costs between the sender and receiver that is key.

The result of this tussle across the biosphere is that honest signals are costly to the sender, dishonest signals cheap. Receiver beware of bargain messages is the lesson of evolution. It is also a lesson for us in a world saturated by emails. Virtually everyone in a working environment deplores the corrosive effect of email on our lives, both before and during the pandemic. The costs to a university or company's time and productivity are well-known, as is the stress to individuals. Imposed and voluntary restrictions are appearing – for example having 'no email' days. We all now receive emails with tags saying emails are only checked in working hours (please define). However, this is applying a band-aid to an artery cut – the emails would still keep coming, and the onus would remain on the receiver to ignore the flow. What would be more effective would be to learn from biology, or, indeed, the post office. Sending emails is not just cheap, but effectively free to the writer. All the costs lie with the receiver. A one-line email from an administrator to thirty people might take them a minute, but it is likely that each receiver will spend con-

siderably more reading, thinking, responding, deleting! Multiple receivers multiply the costs to all but the sender. It can be innocuous – a keen student might send the same email to all the professors of evolution in the UK with an interesting question (it happens), soaking up hours of time across the university sector. It can be intentional but unwittingly time-consuming. An email sent a few years ago to a very large number of Cambridge academics asked them to fill in an excel spreadsheet with all their international contacts, with details. A few minutes for the sender, a summed cost for all recipients of probably hundreds of hours. It can, of course, also be malicious – a scam to millions of people, effectively free to the scammer, probably takes a few seconds for most to read and delete – but that is hours and hours of time across a year for receivers, and, for a few, major losses to a dishonest signaller. This is not to say there are no costs for the sender – who has not pressed the send button only to regret it instantly?

* * *

Email is a complete pain, wrecks personal work priorities, enforces power relationships, and invades the home. It also goes against the wisdom of millions of years of evolution. Sending is cheap (and therefore open to dishonesty), and the recipient pays the bill in time, risk, stress and even money. To stem the flow, the costs need to be returned to the sender.

There are a number of ways that can be done, probably at all levels. It has always astounded me that Chancellors of the Exchequer haven't eyed up emails for a micro-tax. In 2021, there were 319.6 billion emails sent per day worldwide. If every email cost even a small amount to send (payable to a government green fund), it could raise an enormous amount of revenue, spam will dry up, and mailing lists pruned (taxed per numbers of recipients, not number sent, of course).

But there are more local solutions as well. We used to have the Department postal budget, which involved writing your initials on the corner of envelopes and running to catch the last post. It was all fairly miserable, and email has to be an improvement on departmental secretarial frowns, but it did put the costs on the sender. Not all these costs were entirely monetary:

"Are you sure this is Departmental business, Dr Foley, as it is clearly addressed to your mother, and why is this one first class... is it really urgent?"

But the digital world has always allowed greater precision in allocating costs. When I first started using computers as a student at Cambridge in the early 1970s, PCs did not exist, and we would troop into the computer centre to load our programmes into the card reader late at night (you haven't lived until you have spent time in a computer room at 11 pm). You would then wait until the next day to collect the printout. This was often depressingly thin, if there had been a bug in the programme. When this happened, it meant waiting another day and night to rerun it. The reason was that all users had a share in the system, entitling you to so much resource per week. As a student, this was only a small amount, and needed to be hoarded carefully. One way was to schedule programmes to run overnight, with lower costs. Only when you were really

excited and impatient – or frustrated – would you splurge on a daytime run.

This would work perfectly today with email. We would all have a digital budget, and we could spend it as we wished – a witty joke to a hundred colleagues, or a hundred emails to one collaborator discussing the eleventh dimension or the immateriality of (either) Madonna. Resources would reflect the number of students taught, the number of books published, perhaps there might even be an H-index premium. Rules would have to be in place to ensure most resources went to academics, of course, otherwise... There could also be different costs depending on whether the email goes at set times (welcome back the morning and afternoon post), or immediately (remember telegrams?).

Email is a boon to many, allowing swift and easy communication, and enhancing access to and for many people. I am, of course, about to email this draft to the editors of OM! However, against the grain of communication systems in nature, the recipients are paying the costs, and in many cases these have risen to intolerable levels. It is this imbalance in costs (and benefits) that has allowed email to spiral out of control. We would all think twice if each email cost a digital penny black. We should learn from the peahen, make the sender pay, and reclaim our time.

¹ <https://hbr.org/2019/01/how-to-spend-way-less-time-on-email-every-day>

Moss

Takes light in blinks,
prefers the bleak north,
dark side of trees,
sips moisture from air
ice cold on winter days
filtering down between tussocks
or dripping from cherry boughs
over the tennis court.
Behind the house where
frost lies white all day
we edge forward over
frozen moss as on first skates.

Rootless, dispensing no seeds,
its spores are everywhere,
we breathe them in.
Give us a stretch of wet tarmac,
they say, and we will grow
you a carpet of green velvet.

Heretic moss
turns its back on the sun,
rebels against herbaceous doctrine,
gives sinners hope:
life is available to us,
and see, in this moss-lined nest,
a clutch of eggs snuggled warm
beneath a mother's down.

TONY BRIGNULL

Tony Brignull read English at Kellogg College and St Edmund Hall, then gained an MA in Life Writing at KCL. He now divides his time between his homes in the Chilterns and on the island of Skiathos, Greece.

Disputes at work – how are our jobs protected?

G.R.EVANS

The autonomy of English universities is protected by the *Higher Education and Research Act* of 2017 but only in Oxford and Cambridge is it exercised democratically by a legislative body of academic and academic-related staff, Congregation and the Regent House respectively. This is a privilege whose value tends to be taken for granted until members of those bodies become personally involved in disciplinary, employment or grievance issues. Then both Congregation and the Regent House may wake up and act. Employment matters are a current and notable example, due to changes to the USS pension scheme. That has prompted debate (Oxford) and discussion (Cambridge).

But the University and College Union (UCU), formerly the Association of University Teachers (AUT), which has a branch in both universities is also active. Its activities normally concentrate on employment matters and supporting individual members who find themselves in dispute with their university as their employer. That is its job. Its response to the USS dispute has included a series of strikes.

So employment disputes affecting academic and academic-related staff involve two bodies, one central to the University's governance and the other with a paying membership composed solely of those who choose to join it, with the added complication that the Union's members include the 'academic-related' senior administrators whose responsibilities may lie primarily in defending the employer side. How does the role of the two universities' respective sovereign bodies sit with that of their trade unions?

In Oxford UCU is a recognised trade union.¹ In Cambridge, despite several attempts to gain recognition, it is not. That may be about to change.² An article in *Times Higher Education* on April 19 suggested recognition was imminent.³ However, the proposal has to go to the Human Resources Committee this term, then the General Board, then the Council, before it can be put to the Regent House for approval by Grace, as it must since the Statutes and Ordinances include provisions which would have to be adjusted.⁴ This is likely to take considerable time and former attempts have failed.

The changing character of academic employment

In a debate in February 1995 several members of Congregation stressed the importance of Oxford remaining a 'community of equal scholars' or a 'scholarly community of equals', sharing membership of a 'republic of letters' (*Supplement to Gazette*, 6 March, 1995). One speaker protested that:

'Some, possibly many, members of the poor bloody infantry came here for what distinguished this place from other universities, including other highly prestigious universities. We came here, and stay here, partly for the absence of hierarchy'.

The last few decades have seen a considerable strengthening in both universities of a consciousness – among academics as well as support staff – of being an employee under 'line-management'. 'Hierarchy' has become a pragmatic reality for Oxford's and Cambridge's academics alike. This has affected the ways in which disputes can arise. 'Equality' of scholarly 'community' does not necessarily ensure that an individual has equality of arms in a dispute, for example, over the inappropriate exercise of patronage. As a speaker in a Discussion of 12 November 2002 put it:

*'Some barons are no doubt cuddly and devoted to fairness and to the welfare of all their staff. But others are robber-barons who oppress their local peasantry. Bullying and other prejudicial behaviour by over-mighty managers cause stress and distress, suspensions, and loss of employment.we know that in most instances when a local baron takes against a subordinate the Administration will give full support to the Head of institution.'*⁵

The older norm of academic employment until retirement, under a contract for teaching and research, also began to change. Fixed-term contracts have become common. Meanwhile a recent proposal has been made by the Vice-Chancellor of the University of Leeds to make permanent the contracts of research staff who had been repeatedly renewed on short-term ones.⁶

Oxford's UCU Blog includes detailed information about its activities on 'casualisation', including work done through links with Oxford Brookes and Cambridge UCU on the subject. Cambridge UCU put its views on 'casualisation' to the Human Resources Committee in two papers dated 7 July 2020.⁷ In rejecting Cambridge UCU's proposals the HR Committee Minutes say that:

*'the Committee noted the content of a paper submitted by UCU and Unison on the Contract Extension Scheme. The Committee agreed not to recommend to the Council that the decision to close the Scheme on its planned end date of 31 July should be re-opened.'*⁸

On 4 February 2021, the Cambridge HR Committee postponed once more any decision about 'a review of workers who were undertaking ongoing and regular teaching work, in order to identify whether they should be moved to employment contracts', because it would be too expensive.

In a move towards dismantling the norm of teaching-and-research permanent contracts 'teaching-only' con-

tracts was introduced with particular determination by Cambridge. A *Joint Report of the Council and the General Board on the introduction of an academic (teaching and scholarship) career path*⁹ set out proposals for a new category of academic staff whose ‘primary responsibilities’ would be ‘the delivery of teaching’ and for whom ‘scholarship’ would include only ‘pedagogical’ research (‘pedagogic in nature or related to relevant professional practice’). These posts could be unestablished and therefore insecure, with the word ‘teaching’ in the titles.

This and related matters had been considered by the Human Resources Committee on 4 February 2021. The ‘Teaching-Focussed Career Pathway’ was being ‘held up by the need to agree on different job titles for established and unestablished staff’ and concerns were expressed that ‘an unintentional effect of the new pathway might be a bifurcation of teaching and research, creating more research-only and teaching-only posts’.

Recent trends in HR

Oxford was late in creating constitutional arrangements for supervision of the handling of employment disputes. Nevil Johnson could still write in the *Oxford Magazine* in 1997 that ‘Personnel management is not something we have adopted in Oxford’.¹⁰ When the General Board was abolished under the North Reforms a Personnel Committee was created as one of the main committees of the new Council (Regulations 15 of 2002) to take responsibility for ‘human resources’, but there has not always been a Pro-Vice-Chancellor with responsibility for ‘People’.

More recently HR staff numbers have mushroomed:

‘Operational teams of HR Business Partners (HRBPs), each headed by a Human Resources Team Leader, are aligned with each of the four academic divisions plus GLAM and UAS. HRBPs provide advice to heads of department, chairs of faculty boards, and departmental administrators/HAFs, in the context of an overall devolved approach to employment within the University.’¹¹

However, employment support for employees themselves is limited given HR’s primary role in mediating the employers aims. If something happens to threaten an employee’s job, or ability to fulfil their job requirements, the University as employer – through HR – has powers and resources unavailable to the individual employee. There is no equality of arms. Employees may choose to belong to UCU or another Union but that is not something the University as employer could require or even expect.

Cambridge was slow to equip itself too. ‘Human Resources’ expanded at the end of the twentieth century from a first appointment of a single Director of Personnel (with a Secretary) with responsibility for academic and academic-related employees. However the Directorship was not initially created as a University Office and its holder was not entitled to membership of the Regent House. In response to objections on this point, including from the Board of Scrutiny,¹² it was proposed to ‘establish’ these posts, which required an Ordinance and therefore a *Report* to the Regent House and a Grace.¹³

A Human Resources Committee was established. It set up ‘working groups’ to consider ‘some key areas’, including ‘reward and retention’; appointments; promotions

procedures for Professors and Readers; contract research staff, with the Director of Personnel presiding over the organisation of their work. Like Oxford’s counterpart, HR has expanded enormously.¹⁴

The current Statutory protections

Underpinning these belated constitutional provisions lay the Statutes which both universities and the Privy Council had approved in the early 1990s after the Education Reform Act 1988 had taken away academic tenure. The new Statutes were based on a Model Statute designed by University Commissioners under the Act (one of whom was Cambridge’s then Vice-Chancellor, David Williams). Oxford’s versions became Statute XII and Cambridge’s Statute U (now a Schedule to Statute C).

The categories of staff covered by Statute XII go far beyond the mainstream academics. Statute XII 3, I (b) covers ‘any employee of the University who is a member of the Universities Superannuation Scheme or who would be a member if he or she had not been exempted under the provisions of Statute XIV [14]’. That brought under Statute XII many academic-related staff and administrative and ‘professional’ staff in the Unified Administrative Service. This was required in compliance with a provision in the ERA 1988 s.203(4) that the ‘academic’ employment protections should extend to those whose work was so ‘similar to those of academic staff as to justify their being treated as academic staff’.

Statute XII was altered considerably, after successive consultations, to the present version, as eventually approved by the Privy Council in February 2017. The changes were intended to create for some cases a streamlined alternative to the existing elaborate, costly and protracted process involving the Visitorial Board and the University’s Appeal Court. The new process introduced ‘panels’ of elected members of Congregation to adjudicate in employment disputes, other than cases involving any aspect of academic freedom, for which the existing system would continue.

In Cambridge changes to its equivalent Statute prompted controversy. *Review of disciplinary, dismissal, and grievance procedures: A White Paper* was published in December 2008, following an earlier *Green Paper*.¹⁵ Its stated aim was:

‘to amend the disciplinary, dismissal, and grievance procedures for University officers to reflect modern employment law and practice (through the establishment of fair and timely processes, provision for mediation, and clearly expressed codes), and to ensure that similar procedures apply to all members of staff of the University.’

The grievance procedure, previously vestigial in Statute U, was substantially modified. The other procedures underwent little change and the plan for radical amendment and lowering of the result below the level of Statute lost momentum. The bulk of the Cambridge Model Statute remains as a Schedule to its Statute C, pending its demotion to Special Ordinance.

The present state of dispute-resolution

In both universities it is difficult to dismiss or make redundant a member of the academic staff and formal invocations of disciplinary or capability procedures are rare. Nevertheless, the distress arising from such disputes for an affected individual is enormous, and few do not become ill with the stress. Resolution is prolonged and can take years.

Recent Freedom of Information disclosures have answered a series of questions about the visible patterns in the resolution of employment disputes. We now know that Oxford does not hold a central record of complaints resolved informally. No central record is held of complaints of bullying 'because these are normally dealt with by departments'. We therefore have no measure of the overall scale of employment disputes in this university, most of which one must hope are being resolved informally.

Easier to measure are cases dealt with formally under the Statute XII procedures. Cases referred to the Staff Employment Review Panel by the Vice-Chancellor were 2 in 2018 and again in 2019; 4 in 2020; 1 in 2021 and none so far this year. Cases referred to the Redundancy Panel and appeals against the ending of fixed-term contracts considered by the University Appeal Panel numbered 1 in 2018; 3 in 2019; 3 in 2020; 1 in 2021 and none so far this year. Disciplinary cases referred to panels are rare: in the last five years only one or none except for a year when there were two. Of the total of five only three went to internal review and none to internal appeal. The outcomes are unknown and it is not known how many cases involved academics.

However the scale of resort to dispute resolution outside the University's own mechanisms is also significant. Employment Tribunals were initiated in some numbers: 7 in 2018; 4 in 2017; 2 in 2020; 11 in 2021 but none so far in 2022.

The recent letter of 31 March from the Secretary of State to the Office for Students is unusually lengthy but has nothing to say about the employment of academic staff.¹⁶ This seems a regrettable omission in view of the significant shifts in the standing and terms of employment of the staff without whom a university still cannot provide higher education or conduct research.

¹ <https://hr.admin.ox.ac.uk/academic-and-academic-related-ucu>

² <https://twitter.com/CambridgeUCU>.

³ <https://www.timeshighereducation.com/news/cambridge-finally-set-recognise-university-and-college-union>

⁴ Grace of 27 March 2020.

⁵ *Reporter*, 20 November, 2002.

⁶ *Times Higher Education*, April 19, 2022.

⁷ www.ucu.cam.ac.uk/papers-for-br-committee-time-to-think-again/

⁸ HR Committee Minutes 7 July 2020.

⁹ *Reporter* 24 March, 2021.

¹⁰ Nevil Johnson, 'Universities: what is there to manage', *Oxford Magazine*, 4th week Hilary, 1997, pp.4-5.

¹¹ <https://hr.admin.ox.ac.uk/about-university-br>

¹² In its Fifth Report.

¹³ That had promoted some comment, Notices (*Reporter*, 1999-2000, pp. 102 and 570) and the Board of Scrutiny have subsequently commented, in their Fifth Report (*Reporter*, 2000-01, p. 25),

¹⁴ <https://www.br.admin.cam.ac.uk/>

¹⁵ *Reporter*, 4 December, 2008.

¹⁶ <https://www.officeforstudents.org.uk/media/64e0a177-e78d-4d74-b6a0-81dd60dbb5c7/ofs-strategic-guidance-20220331.pdf>

Remember that a wealth of information about the University has now been made available by the EJRA Review Group;
<https://staff.admin.ox.ac.uk/working-at-oxford/ejra#tab-3236066>

The next issue of Oxford Magazine will appear in fifth week

Strictly for Nerds

DAVID PALFREYMAN

Indicative of my advancing nerdiness is my interest in the very arcane ‘law of corporations’. This arises since almost all Oxbridge colleges are, as everybody (of course) well knows, chartered, charitable/eleemosynary, lay corporations aggregate.

In the interests of nerdiness:

- **CHARTERED** in that they possess a Royal Charter (in the case of my College, New College, dating from 1379) as the means of creation (as also are most pre-92 universities and hence in contrast to the ex-polys which are statutory corporations created by legislation as universities in 1992).

- **CHARITABLE** as non-profits, once exempt from formal registration with the Charity Commission but registered charities since the 2011 Charities Act and now fully regulated by the CC (which, given the Christ Church saga, would doubtless love to offload them onto the Office for Students as the regulator of universities!). Thus the Governing Body Fellows are charity trustees and carry personal financial liability joint & several for any gross recklessness/negligence in running the College – unless excused by the High Court under the provisions of trustee legislation. They must, of course, also be compliant with charity law as well as with the law of corporations (NB in the US what we would call company law is often referred to as the law of corporations.)

- And in the main **ELEEMOSYNARY** (rather than ‘civil’ like, say, a Borough or a Royal Society) since they have a Founder whose alms and bounty they dish out – in the New College case the Founder was William of Wykeham and he set the place up for the university education of ‘indigent boys’ (since 1979 also girls). Such a Founder sets up the ‘internal laws’ of the college – the Statutes under the Charter – and appoints the first Visitor to ensure compliance with said Statutes (the Visitor usually being the Bishop of Somewhere or Other). The Visitor lost its jurisdiction over College-Fellow employment disputes by way of legislation in 1988 and over College-Student disputes by virtue of 2004 legislation – but can still be invoked to rule on the interpretation of Statutes (as indeed has happened for two universities in recent years where the UCU challenged whether the University was properly following constitutional due process in making academics redundant).

- **LAY** in that not ecclesiastical as, for say, a Cathedral Dean & Chapter.

- **AGGREGATE** as in not a ‘corporation sole’ as for a Bishop – the corporators being the Head of House plus all the GB Fellows.

- **CORPORATIONS** as in private legal entities (as perpetual and artificial/legal persons, unlike mortal natural persons), and not public bodies – other examples, also as medieval creations of bodies corporate, include many of the London livery companies or guilds (but not, oddly, the London inns of court which are unincorporated associations like the JCRs or like cricket/tennis clubs). Indeed all UK universities are private entities and not public entities as emanations of the state, as is the case with almost all universities on the Continent or in the USA. This legal or artificial person as a Royal Charter corporation can do anything a natural person can do, other than commit treason or murder (since it has no mind to form an intent to do so) – but it can commit corporate manslaughter – and unless its Statutes prohibit it doing X or Y. The statutory corporation can do only what its constitution or the legislation creating it allows it to do.

* * *

So, imagine my excitement when I happened (in browsing Amazon and its listing of long-dead books suddenly made newly available via digital reproduction) upon a book on the law of corporations that precedes what I thought were the earliest treatises on the law regulating their governance. The earliest text by way of any substantial treatment I had been aware of is that in Blackstone’s *Commentaries on the Laws of England* (Book I published in 1765, Chapter 18 ‘Of Corporations’; albeit only some 20 pages). In 1793 Kyd authored two volumes as *A Treatise on the Law of Corporations* (over 1000 pages) – followed by Grant’s *A Practical Treatise on the Law of Corporations in General, as well as Aggregate as Sole* in 1850 (about 750 pages); while Shelford’s 1836 *The Law of Mortmain* (an early text on what we now call charity law) has coverage of ‘Eleemosynary Foundations’ and on ‘the visitation of charities’.

At present the only modern text on the law of corporations is that within the latest edition of *Halsbury’s Laws of England* – currently Volume 24 from 2019 (although the wording is pretty well the same in all the other editions dating back to Volume VIII in 1909 – nothing much happens in the law of corporations to need radical updating!). The latest Halsbury’s volume covers ‘Corporations’ (in 135 pages or so) alongside ‘Coroners’ as well as ‘Cremations’. And the law of corporations is hardly the stuff of undergraduate law courses, nor is there much of a living to be made in it for practising solicitors/barristers. The only book on higher education law before that from Dennis Farrington in 1994 – and latterly the 2006, 2012, 2021 editions of Farrington & Palfreyman, *The Law of Higher Education* (OUP) – is *The Law of the Universities* (1910, Williams) that is really a long list of cases concerning the University of Oxford and the University of Cambridge, and their colleges, as corporations falling

out with stropky members of dondom or dodgy heads of house. The two universities are not Royal Charter corporations since they kind of just happened to come into existence about 800 years back and are a sort of statutory corporation (just like an ex-poly) recognised under much later legislation: hence they lack a Founder or a Visitor.

The new find is a treatise dating from 1702 on ‘The Law of Corporations’ (seemingly and perhaps by Richard and Edward Atkins) and claiming to be the first major work ‘designedly written on this Subject’ beyond ‘a little Duodecimo by Mr Shepard’. Thus, the preface ends with a proud declaration:

‘If I am not mistaken, here is a variety of Learning both useful and pleasant, and the Precedents are for the most part New and Authentick’.

One doubts the authors of modern law texts would dare to call their efforts ‘pleasant’! (I await a kindly expert Bodley Librarian tracking down the exact authorship of this 1702 text and also identifying Mr Shepard’s ‘little Duodecimo’ – a bottle of Champagne from the New College SCR Cellars for the first to do so).

* * *

So, what (if anything) does this 1702 ‘Learning’ tell us that might be ‘useful and pleasant’ for those involved in the governance and management of an Oxbridge college some 320 years later? Any guidance for the hapless Head of House chairing a fractious GB? Or for a GB wanting to get rid of a HofH? Any tips for a stressed Estates Bursar or Senior Tutor or Dean from this volume ‘Containing the Laws and Customs’ of these pretty odd legal entities as well as ‘Actions brought by and against Corporations’?

Sadly, the 300 pages are not that ‘useful’ for us – although there is much about other types of corporation, including on ‘The Court of Pie-Powders’ relating to municipal corporations and especially on ‘the customs of London’; the Oxford cases are more in the way of local tradesmen failing to get debts paid by Colleges (including £60 ‘due for Butter and Cheese sold to [Magdalen] Colledge’) and where the University blocks any such legal action by invoking its ‘privileges’ of being accountable only in its own court as a neat Get-Out-Of-Jail-Free card. So, we still have to turn to Kyd and Grant in order to find out how to disenfranchise a Fellow or to achieve the forced amotion of an officer (such as a Bursar) of the corporation/college – although our 1702 treatise confirms, as do the later texts, that just uttering ‘words of Contempt’ as ‘spoken against the chief Officer’ (HofH) is not good cause for disenfranchisement (removal of a fellowship); but being ‘a common Drunkard’ would be.

Referring back to the Visitor’s role prior to 1988, however, the 1702 text does usefully cite a very early case con-

firming the Visitor’s exclusive jurisdiction in the sense that the Court would not interfere by acting as a court of appeal or second-guessing the Visitor’s decision under the internal law of the corporation/college. Thus, a Fellow of ‘New College in Oxon’ could be ‘expelled according to the Statutes of the College’ if an appeal to the Visitor failed, given that the Statutes allowed for such expulsion where ‘enormous Crimes, scandalous and dangerous to the College’ had been committed – the case report noting: ‘This College is a Creature made by the Founder; and it would be hard to maintain any Appeal further than he hath appointed’ (that is to the Visitor). In 2022 a New College Fellow sacked for ‘enormous Crimes’ under the relevant Statute would no longer have access to the Visitor and would have to trot off to the Employment Tribunal in Reading, alleging unfair dismissal or unlawful discrimination.

NOTICE

The Editors of the *Oxford Magazine* regret that they cannot publish any material submitted to them anonymously. If the author requests publication on the basis that the author’s name and university address be withheld from the readership, the Editors will consider the reasons given and in their discretion may publish on that basis; otherwise the material will be returned to the author.

Minister of Loneliness

I wonder what the qualifications are
for such a lamentable post,
what lessons learned can be shared;
how might such a job description read?

Prospective applicants must be intimate
with isolation, desolation, desperation
able to minister to moral injury
or spiritual woundedness

Please, attach a portfolio of personal relations
that have not ended badly,
and, if they have, how have you
bounced back, sidestepping abysses

Tell us, do you recognize loneliness
as a public health crisis
Can you decipher the subtle clues
of this insidious pandemic?

Successful candidates must be virtuosos of suffering
sensitive, of course, yet impervious to lingering sadness
tirelessly capable of encouraging others despite,
at times, feeling defeated or assaulted by pointlessness

If appointed, what would you do differently
to the previous three Ministers of Loneliness
who struggled with this title? How will you overcome
that loneliness of perpetual sociability?

Are you willing and able to work alongside
those unacknowledged ministers of loneliness
mystics, poets and artists of all stripes
who serve this role, quietly, without credit?

Lastly, candidates must agree to submit
to a lie detector test, to prove that
their online friendships are satisfying,
and posts of smiling selfies or social media persona
are not, in fact, an elaborate fabrication.

Lockjaw

Strange aches in quarantine
for our phantom limbs:
others and nature.

memories, longings
waking hours & dreams blend
with the daze of the weak

outer and inner are unclear
--this overcast sky
or that hangover

With no end in sight
beginnings called into question:
did we, *always*, live this way?

Wait, did you hear that;
are those birds chirping
or am I going mad?

YAHIA LABABIDI

Yahia Lababidi, Egyptian author of ten books, has been called 'our greatest living aphorist', and his prose/poetry meditations have gone viral. He has contributed to global news, literary, and cultural institutions, and participated in poetry events throughout the USA, Europe, and the Middle East. His latest books include *Desert Songs* (Rowayat, 2022), a bilingual, photographic account of his mystical encounters in the deserts of Egypt, and *Learning to Pray* (Kelsay Books, 2021) a collection of spiritual aphorisms and poems.

Awakening from a Dream

In the night, the feathery fists came raining down
He ducked and staggered as they landed, again and again,
On his head, neck and across his shaking back
There was no avoiding this relentless retribution

Could it be, these were the familiar hands of his angels
The same strong ones that, throughout his wrong life,
Carried him through innumerable hardships
Cushioning him from nearly crushing falls

The blows continued to hammer down and he ceased
Trying to avoid what he knew to be his due
Accrued through dismissed warnings and failed promises
He could begin to hear the beating of wings, now

Recognizing, with slow wonder, these fans were also his own
They flapped, like weak devotions, in the dark to shield him
Accompanied by intermittent flashes of a soft blue light
Illuminating the proud army of his divine tormentors.

REVIEWS

Multiple Perspectives on Challenges Facing China: An Observer's Essay Review

Suthiphand Chirathivat, et al. *China's Belt and Road Initiative in ASEAN: Growing Presence, Recent Progress and Future Challenges* (World Scientific Publishing, 2022). £ 110.00

Harald Pechlaner, et al. *China and the New Silk Road: Challenges and Impacts on the Regional and Local Level*. (Springer, 2020). £ 99.99

Cary Krosinsky. *Modern China: Financial Cooperation for Solving Sustainability Challenges*. (Palgrave Macmillan, 2020). £ 26.99

Yongnian Zheng. *The China Model: Experience and Challenges*. (Peter Lang US, 2021). £ 75.91



There has recently been a tsunami of literature on challenges facing China in the early 21st century. Among thousands of relevant works, this reviewer selects four newly-published volumes, which evaluate those challenges from multiple perspectives. I highlight issues of greatest current importance. They will be of great interest to scholars and students interested in China in general, as well as those particularly interested in challenges facing China in the context of the Belt and Road Initiative (BRI).

China's Belt and Road Initiative in ASEAN: Growing Presence, Recent Progress and Future Challenges is one of the timeliest volumes for understanding the dynamics of the Belt and Road Initiative in ASEAN countries. *China and the New Silk Road: Challenges and Impacts on the Regional and Local Level* is a refreshing and well-researched collection of essays. It sheds new light to our understanding of the challenges facing China in the context of the New Silk Road. As a welcome addition to the fast-growing literature on China studies, *Modern China: Financial Cooperation for Solving Sustainability Challenges* offers readers a Western academic perspective. *The China Model: Experience and Challenges* has provided a convincing narrative and wealth of arguments for readers interested broadly in China, international relations and globalization.

In *China's Belt and Road Initiative in ASEAN: Growing Presence, Recent Progress and Future Challenges* edited by Suthiphand Chirathivat, Buddhagarn Rutchatorn and Anupama Devendrakumar, one of the most significant challenges is “inconsistent standards”, that is “markedly different transport technology standards and management systems”. For instance, China adopts the standard gauge of 1,435 mm in width, when Vietnam, Myanmar and Malaysia use a narrow gauge of 1,000 mm.¹ This volume might raise readers’ concerns about the on-going BRI projects in ASEAN countries, especially the East Coast Rail Link Project in Malaysia, and the Sino-Thai Railway Project in Thailand. As the first standard-gauge railway in Thailand, the China-Thailand railway will be an important part of the trans-Asian railway network.² The East Coast Rail Link has recorded an overall progress of 28.57% by April 2022. It will be fully completed by December 2026.³

China and the New Silk Road: Challenges and Impacts on the Regional and Local Level edited by Harald Pechlaner is a collection of thought-provoking essays. On the one hand, it points out parallels between China’s socioeconomic challenges and the situation in many Western societies.⁴ For example, in January 2020, according to the National Bureau of Statistics, China’s per capita GDP made a

breakthrough, which for the first time reached US\$10,000.⁵ However, as Dominic Sachsenmaier argued, “if we consider China’s GDP per capita, we find it merely in the global midfield.”⁶ His argument makes sense. In March 2021, China aimed to increase disposable income per capita basically in line with gross domestic product (GDP) growth during the 2021-2025 period, in accordance with the draft outline of the 14th Five-Year Plan (2021-2025) of China.⁷

On the other hand, China has been facing specific challenges in the context of the New Silk Road. In the opinion of Fernando Jorge Portela Martins Ascensão, China’s foreign investment followed the principle of “no strings attached”, in other words, the recipient countries could “manage their own affairs without political and presumably without environmental interference by China”.⁸ As a result, for years, “in quite a few Belt and Road partner countries, the political tides have started turning against China, as has public opinion”.⁹ However, China will certainly not be able to pump endless money into the Belt and Road Initiative.¹⁰ In the long run, China would “decide very carefully whether to spend its limited resources on international or domestic projects”.¹¹ This prediction did strike a chord with other scholars. For instance, as Anthony Rowley highlighted, China’s spending on overseas construction and infrastructure has reduced from a peak of some US\$260 billion in 2017 to nearer US\$70 billion in 2020.¹²

From a Western academic perspective, *Modern China: Financial Cooperation for Solving Sustainability Challenges* by Cary Krosinsky stresses the challenges facing China in the area of sustainability. First of all, the book explores water scarcity issues, which are “Characterized by heavily environmental degradation of freshwater resources and by uneven geographical distributions of supply and demand”.¹³ How bad is the situation of water scarcity in China? On 31 March 2022, the World Bank’s Board of Executive Directors approved a US\$380 million loan to help address water scarcity and ecosystem degradation in China’s Yellow River basin. This financing complements over \$1.1 billion of China’s own resources.¹⁴

Another challenge would be more serious at this moment, that is the US-China tech race. In the words of Krosinsky, the US aims at “hold(ing) a comprehensive technological and economic advantage over China”, while China makes great efforts in “build(ing) a self-reliant technological ecosystem near or above the level of the US”.¹⁵ Recently China has taken a lead on telecommunications, while the United States enjoyed the early advantage on artificial intelligence.¹⁶ In the field of semiconductor, it seemed that the United States “has established sovereign control and politicized the global semiconductor industry”. In the foreseeable future, as Tom Fowdy argues, this will probably “isolate the US from what is and will continue to be the largest semiconductor market in the world”.¹⁷

What if the US-China tech race escalates? As Krosinsky predicts, China will “(focus) on underdeveloped sectors with no dominant global firms such as electric vehicles, renewable energy and smart cities.”¹⁸ It is noteworthy that 2.99 million new-energy vehicles (including pure electric, plug-in hybrid and fuel-cell cars) were sold in China in 2021.¹⁹ It’s evident that China’s response to the tech race could echo the Ancient Chinese philosophy, which “defines Yin and Yang as a concept of dualism, where seemingly opposite or contrary forces may actually be complementary, interconnected and interdependent, and how they may give rise to each other as they interrelate to one another”.²⁰

As one of the most well-known Chinese political scientists, Yongnian Zheng (a professor of political science at the Chinese University of Hong Kong [Shenzhen]) identifies the most essential challenge facing China in *The China Model: Experience and Challenges*. According to Zheng, the China Model is “China’s experience of development”.²¹ Based on China’s experience of development, Zheng points out that the most essential challenge

facing China is “finding points of equilibrium in every aspect”.²² For example, finding a balance between vested interests and new interests, among government, society and market, efficiency and fairness. During a speech in March 2022, Zheng urged China to maintain a balance between efficiency and fairness in the process of promoting common prosperity.²³

In policy practice, China has again been following the Ancient Chinese philosophy that “(a)nything is problematic if carried to excess”.²⁴ China often “selectively introduces components of Western states and integrates them with its own traditions”, while “resort(ing) to traditional means”.²⁵

As this book suggests, the most essential challenge facing Western democracies is different from that facing China to a large degree. Zheng believes that “Western democracies have become increasingly populist, no Western country has been able to produce a strong government.” In the case of the presidential election in France, as Patrick O’Flynn argues, it is now “not a question of whether there will be a populist Right takeover of the apparatus of government in France, but merely of when”.²⁶ Moreover, Zheng further indicates that in the Western democracies, “state power has been unable to cope with globalized capitalism”.²⁷

KAI CHEN

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My advisory thunderbolt

Julian Barnes, *Elizabeth Finch*. (Jonathan Cape, 2022) £16.99.



When I was taking courses in bibliography years ago some of the teachers used to regret in moods of sorrow and anger that the Bodleian destroyed book-jackets, and deprived us of useful material, vital even. I wonder if it is still up to the evil and reprehensible trick?

The book-jacket blurb to Henry James's *The Finer Grain* (1910) contains his own words: 'a peculiar accessibility to surprise, to curiosity, to mystification or attraction – in other words, to moving experience.' No good going to the Bodleian to check; no good paying £156.95 to Abe Books either, because it doesn't have it.

The back of the book-jacket of *Elizabeth Finch* contains a quotation from David Bowie:

'I love Stephen King. Scares the shite out of me. But I really like Julian Barnes as well, which is another world.'

The front contains five circular and semi-circular cut-outs opening onto a black section on the cover proper, and eleven opening into a white section. One cut-out opens onto a black and white section. Designed by Suzanne Dean. So brilliantly striking and unusual, it would be a pity if the Bodleian discarded it.

That's the book-jacket reviewed; what about the book itself? It is an exploration of civilization, culture and the past, through which we are guided by the lecturer Elizabeth Finch. It gets off to a bad start with the preamble to her lectures, in which she says to the listeners, "I shall teach you as the adults you undoubtedly are....since you are no longer in primary school – I shall not dispense milksop encouragement and bland approval." If I were in the audience I'd be much peeved, and moan to myself, 'Pshaw! cut the cackle, for God's sake, and just get on with it.' I'd think she just wasn't reading the room properly, so was deficient in tact and general nous. And I wouldn't come back for the rest of the course. I would resent having my intelligence insulted. If I did persist I'd encounter some interesting material. Where are these lectures taking place? In a university? in an adult-education course? The listeners are between 'late twenties and early forties.'

Finch is seen through the eyes of Neil, who, in a sense, falls in love with her. She is an intellectual, and wanders freely through fields of history, art history and literature. She does not impress all the students, since she has a tendency to take in very wide swathes. Neil concentrates on her treatment of Julian the Apostate (AD 331-363), whom Finch regards as im-

portant because he encapsulates the long-standing struggle between Christianity and the various forms of Paganism. Christianity gets a bad press from Finch because it is monotheistic (despite the Trinity), and she abhors all the concepts beginning with the mono-prefix. Julian is perhaps best known in his appearance in Swinburne's 'Hymn to Proserpine (After the Proclamation in Rome of the Christian Faith)' (1866): 'Thou hast conquered O pale Galilean; the world has grown grey from thy breath; / We have drunken of things Lethean, and fed on the fullness of Death.' The 'pale Galilean' is Christ of course. The obsession with Julian enables her to cover a number of themes, centering on history, memory, philosophy, imagination, civilization, ethics, etc. She is a species of Romantic stoic. She is private and reserved, evasive even, and is to a degree off-putting and intimidating because she speaks in complete sentences:

'Her diction was formal, her sentence structure entirely grammatical – indeed, you could almost hear the commas, semicolons and full stops. She never started a sentence without knowing how and when it would end.' (p. 6)

She speaks 'almost in written prose' (p. 176). I am reminded of Yeats in *The Trembling of the Veil* (1922) (battered signed copy by Yeats – £963.04 from Abe Books), remembering his first meeting with Oscar Wilde:

'an astonishment. I never before heard a man talking with perfect sentences, as if he had written them all overnight with labour and yet all spontaneous.... I noticed, too, that the impression of artificiality that I think all Wilde's listeners have recorded came from the perfect rounding of the sentences and from the deliberation that made it possible.'

In *Elizabeth Finch* there are moments when it is claimed that artificiality need not be the enemy of authenticity: 'And artifice, as she also observed, was not incompatible with truth.' (p. 4) An entry from her notebooks is quoted: 'Artifice not the opposite of truth but often its very embodiment, what makes it irresistible.' (p. 66)

In his Acknowledgements Barnes lists his debts to eleven figures, including our own Hermione Lee, but doesn't acknowledge what is his prime debt: to his friend the late Anita Brookner (1928-2016), whom he first met in 1984. He wrote a *con amore* obituary of her in *The Guardian*. She was an art-historian and novelist, and shares a number of features with Finch. Barnes writes:

'I was not the only one to find that my conversation changed when sitting opposite her. Vocabulary and grammar were self-scrutinised in the microsecond before they emerged from my mouth; I

even found myself punctuating my own conversation – putting in semicolons, for God's sake. She herself would remain calm, amused, in control.'

Barnes reports that Carmen Callil (the founder of Virago Press) had to have a lie down after a lunch with her. Brookner was elusive, and would only spend twenty minutes or so at parties. Barnes reports that 'she once agreed to come in to our joint publishers and sign her latest novel. Unthreateningly, they had laid out a pile of 100 copies. She sat down, took out her pen, signed 25, and said, "I think that's enough, don't you?" And then she left.'

I have a signed copy of *Elizabeth Finch* – I wonder how many Barnes signed? Brookner, like Finch, was a smoker, and never married. But other intellectual women could have contributed to the invention of Elizabeth Finch; in an interview with Patrick McGrath Barnes records: 'I remember once talking to Iris Murdoch at a party, and at the time I think I either didn't have a job, or I was dissatisfied with the one I had, and she said: "Oh, you ought to go into the civil service. It's very good for making moral decisions." And I thought, "Perhaps that's where they get made."'

When Finch dies Neil wants to 'please' rather than 'honour' her, (since honouring makes the dead more dead) and his tribute is to write an essay on Julian the Apostate, which takes up 48 pages in the novel. One feels that Barnes (or Neil) does not want to write a straight biography of Finch, and that this essay is a species of indirect celebration. At the end he is in contact with a couple of Finch's students, one of whom, the Dutch Anna, seems to have known her better than he did, the other Geoff, is somewhat dismissive. One trouble with the novel is that Finch's brilliance has to be produced, and novelists are generally advised not to attempt to produce the works of writers and novelists when they create them. Finch's ideas are adequate enough, but do not usually astonish one. Her views on the dangers and unreliabilities of history are reasonably familiar. And I would not be particularly impressed if I went to a lecture to be told this:

"Still, let us allow the story [of St Ursula and her eleven thousand virgins] to proceed in Technicolour and Cinemascope, techniques which Carpaccio did much to popularise."

There's a substantial roll-call of the intellectual great and good, and given the fact that Barnes is writing Flaubert has to appear – more than once. Some more minor culture even gets in, such as 'Have you heard? / It's in the stars / Next July we collide with Mars / Well, did you evah?' which was sung in a duet by Bing Crosby and Frank Sinatra, the new kid on the block, in *High Society* (1956) – originally in Cole Porter's *DuBarry Was a Lady* (1939).

There's a curious clever-clever intertextual moment towards the end when Michel Butor's train-journey in the *nouveau roman* *La Modification* (1957) (translated as *Changing Trains*) is invoked – in connection with Neil's train-journey. A sort of irritating intertextual *jeu d'esprit* this. There's another clever-clever moment when Neil is looking at a painting in Alkmaar of 'a two-year-old boy holding a goldfinch' (my italics) by Caesar van Everdingen, borrowed from the Cannon Hall Museum in Barnsley. Only two letters away from Barnes. Always a problem reading a novel: does this artist exist? does this painting exist? Yes he does, yes it does, but some of us will be not be *au fait* with him. A click of the mouse helps here.



Caesar van Everdingen, *Boy Holding an Apple* (Cannon Hall Museum, Barnsley).

Neil and Anna also look at Caesar van Everdingen's *Diogenes the Cynic Seeking an Honest Man*, 'holding up a lantern', reminding them that like stoicism and epicureanism this word has its origins in the classical world.



Caesar van Everdingen, *Diogenes the Cynic Seeking an Honest Man* (Maritshuis Museum, The Hague).

And then there's the Samuel Johnson who wrote *Julian the Apostate* (1682); not the Samuel Johnson. Did he exist? Yes, he's

in *The New Cambridge Bibliography of English Literature* columns 1846-47. I'm ashamed to say I did not know about him. At one point (p. 162) 'some other Julian' is mentioned. That must be Julian Barnes. A number of novelists can't resist naming themselves in their fictions. In Henry James's 'Pandora' (1884), for instance, Count Otto Vogelstein reads James's story of 'a flighty forward little American girl', to put himself abreast of the young American female. *Daisy Miller* that is.

When Neil tries to construct or imagine Finch's life he moves into territory which can only be described as novelistic:

'there was something racy about Elizabeth Finch. If not actual and present, then potential. And when I set my own mind to wander, it might easily throw up an image of EF, say, in a first-class sleeping compartment on a train crossing a darkened landscape; standing at the window in silk pyjamas, stubbing out a last cigarette, while a mysterious and now unidentifiable companion lets out a soft nasal whistle from the upper couchette. Outside, beneath a gibbous moon, she might discern a canted France vineyard or the dull shimmer of an Italian lake.' (pp.16-17)

The temptations of the vortex of the novelistic is one of the hazards of biography proper.

Barnes obviously wants to grapple with some ambitious and demanding issues. I wonder whether he might have been better off writing something like John Fowles's *The Aristos* (1964)? This got his ideas down on paper without the need to have them refracted through fictional characters. What Fowles was hoping to do was present the case for a species of elitism without being labelled a fascist. He did not mind saying directly that 'the vast mass of mankind are not highly intelligent.' His great hero is Montaigne, and it is worth mentioning that Montaigne is also a dominant figure in *Elizabeth Finch*.

Barnes could have (should have?) written a more intellectual book – to compare with Daniel DeLaura's excellent *Hebrew and Hellene in Victorian England* (1969) or Linda Dowling's *Language and Decadence in the Victorian Fin de Siècle* (1987) and *Hellenism and Homosexuality in Victorian Oxford* (1997) or Richard Jenkins's (our Public Orator) *The Victorians and Ancient Greece* (1980), say.

Hebraism and Hellenism were the opposed forces in Matthew Arnold's *Culture and Anarchy* (1869). Although it might not have sold as well. Oxford was in the nineteenth century at the epicentre of the struggle between Christian orthodoxy and new forms of classically inspired scepticism and epicureanism. If one wants to find out about Julian the Apostate the Wikipedia article will serve pretty well – although it does not mention Aubrey de Vere's drama

Julian, the Apostate (1822) (which I started to read, but gave up), or the fact that he appears in Hardy's *Jude the Obscure* (chapter 3) when Sue Bridehead is going single-handedly through the whole rejection of Christianity crisis. Or the picturesque moment in Ruskin's *Praeterita* when he attended a sermon on Julian the Apostate delivered in Sallanches by 'a fat stuttering curé' (10 June 1849).

Barnes goes one better than Wikipedia by mentioning that Julian appears in Joyce's *Finnegans Wake*, via Ibsen, who wrote a drama on the subject in 1873, which Charles Spencer of *The Daily Telegraph* found 'an almost unendurable bore' when it was revived by the National Theatre in 2011. 'Oh Lord, please make it stop,' he muttered to himself. One is reminded that one of the ancestors of the novel is the Platonic dialogue, and the novel of ideas is a respectable enough brand, but one can have reservations about reading them. One problem with this novel is that we go over some of the same material twice, and once is enough.

Often when one reads a book or goes to the cinema or theatre there are moments when current history suddenly impinges. Here is Elizabeth Finch talking about Ernest Renan's view of foundation myths:

'He says that getting its history wrong is part of being a nation. In other words, in order to believe in what we think our nation stands for, we must constantly, every day, in small acts or thoughts and large, deceive ourselves, as we constantly rehearse our comforting bedtime stories. Myths of racial and cultural superiority.' (p. 33)

We can see just now where this might lead us.

BERNARD RICHARDS

A Little Like Kierkegaard

for Patrick

My will is worthless.

My absence is the reason
you love me. You love to hate
me – a little. Like your

intense one, I am disgusted
by mystic tokens and emblems
of amorous convention.

This is why I saved all my letters
to ex-es and planted them
inside a rosebox
made from a linden.

Posthumous Journey III

Humans ruin each other over hairstyles
after one stops existing. No one believes
the world can continue

so trivially. Nothing
I want words to mean is more
than the privilege of graying, of dyeing, of coloring.

I'm speaking to you, Alexander Scriabin, the unfinished
mystery. Give me a shoe
bluer than the eye walking away in it.

Give me a word for the gun
who can't imagine a bullet.
I want all this to end with me.

I want a poem blue as the bruise
before it glows green with envy.

Posthumous Journey 1

with a line from Wallace Stevens' "The Course of a Particular"

If you leave the curtain open at midnight
the wolf will find time to memorize your face.

Against his own will, the wolf will carry the memory
of the night you nearly died all over the forest.

Facts abound, but few survive
their own endings. In the absence of fantasia,

without meaning more, when you close your eyes,
the wolf stays awake, unable to sleep.

The wolf remains haunted by what he has seen –
the river running through your forehead.

Where will you go when the children rise for breakfast?
The sky offers its dead finches for eyes.

The will is weak. The will is weak.
The numinous nothing is not in this world.

Posthumous Journey IV

I discover a rusted pitchfork on the day
my thigh-stitch purples, gets infected – there is a failure
to dissolve without fever. And I remember
almost dying and then being tired
of comforting others who almost lost me
for their near-losings. It was like being in Krakow
in the early 2000s and miscarrying alone, again.
I am alive. It hurts so much. It is extraordinary.

ALINA STEFANESCU

Alina Stefanescu was born in Romania and lives in Birmingham, Alabama. Recent books include a creative nonfiction chapbook, *Ribald* (Bull City Press Inch Series, November 2020) and *Dor*, which won the Wandering Aengus Press Prize (September 2021). Her debut fiction collection, *Every Mask I Tried On*, won the Brighthorse Books Prize (April 2018). Alina's poems, essays, and fiction can be found in *Prairie Schooner*, *North American Review*, *World Literature Today*, *Pleiades*, *Poetry*, *BOMB*, and others, including various anthologies. She is Co-Director of PEN America's Birmingham Chapter. More online at www.alinastefanescuwriter.com.

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NOTICE

The Editors of the *Oxford Magazine* regret that they cannot publish any material submitted to them anonymously. If the author requests publication on the basis that the author's name and university address be withheld from the readership, the Editors will consider the reasons given and in their discretion may publish on that basis; otherwise the material will be returned to the author.

CONTRIBUTORS TO THIS ISSUE

Stephen Shute is Professor of Criminal Law and Criminal Justice, University of Sussex and former Fellow of Corpus Christi College • Robert Foley is Leverhulme Professor Emeritus and Fellow of King's College, Cambridge • G.R. Evans was Professor of Medieval Theology and Intellectual History at Cambridge • David Palfreyman is Bursar of New College • Kai Chen is an assistant professor at the School of International Relations, Xiamen University, China, currently an academic visitor at the University of Oxford China Centre • Bernard Richards is an Emeritus Fellow of Brasenose College